

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

SEAN MURPHY, et al.,)	
)	Case No. 3:23-cv-402
<i>Plaintiffs,</i>)	
)	Judge Travis R. McDonough
v.)	
)	Magistrate Judge Jill E. McCook
TOWN OF FARRAGUT, et al.,)	
)	
<i>Defendants.</i>)	
)	

ORDER

Before the Court is Magistrate Judge Jill E. McCook’s Report and Recommendation denying Defendants Joseph A. Fielden and J.A. Fielden Co., Inc.’s motion for attorneys’ fees (Doc. 136). Judge McCook also recommends that the Court deny as moot Plaintiffs’ Motion for Leave to Depose Ford Little, Esq., Counsel for the J.A. Fielden Defendants (Doc. 84), Defendants Joseph A. Fielden and J.A. Fielden Co., Inc.’s Motion to Strike Plaintiffs’ Motion for Leave to Depose Ford Little, Esq. (Doc. 94), Plaintiffs’ Motion for Extension of Time to Respond (Doc. 102), Plaintiffs’ Second Motion for Extension of Time to Respond (Doc. 110), and Plaintiffs’ Request for Leave to File a Sur-Reply to Joseph Fielden and J.A. Fielden Co., Inc.’s Reply to Plaintiffs’ Reply to Motion for Attorneys’ Fees and Motion to Strike Plaintiffs’ Motion for Leave to Depose Ford Little, Esq. (Doc. 121). Judge McCook found that while Plaintiffs’ counsel acted unprofessionally, sanctions under 28 U.S.C. § 1927 are not warranted “based on the filing of the Complaint alone” in this instance. (*See* Doc. 136, at 11 n.6, 12, 13.) Judge McCook also found that Plaintiffs’ counsel did not “unnecessarily multiply the proceedings” for the Defendants requesting fees after Plaintiffs filed their complaint. (*See id.* at

13.) Under Federal Rule of Civil Procedure 72(b), a party has 14 days to object to a magistrate judge's recommended disposition. Neither party has done so here, and the Court agrees with Judge McCook's well-reasoned conclusions.

Accordingly, the Court **ACCEPTS** and **ADOPTS** Judge McCook's Report and Recommendation (Doc. 136). Defendants Joseph A. Fielden and J.A. Fielden Co., Inc.'s motion for attorneys' fees (Doc. 83) is **DENIED**. The remaining motions pertaining to the motion for attorneys' fees (Docs. 84, 94, 102, 110, 121) are **DENIED AS MOOT**.

SO ORDERED.

/s/Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE